

House File 2255 - Introduced

HOUSE FILE _____
BY DE BOEF, RAYHONS, DOLECHECK,
and GRANZOW

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to insulin-dependent motor vehicle operators that
2 provide passenger service to elderly persons and providing
3 penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5669YH 82
6 md/nh/8

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1 1 Section 1. NEW SECTION. 321.188A PASSENGER SERVICE FOR
1 2 ELDERLY PERSONS == INSULIN-DEPENDENT DIABETICS.
1 3 1. An insulin-dependent diabetic individual holding a
1 4 commercial driver's license or a class D driver's license may,
1 5 except as provided in subsection 2, operate a motor vehicle to
1 6 provide passenger service for elderly persons if all of the
1 7 following conditions are satisfied:
1 8 a. A person identified by federal or state law as
1 9 authorized to perform physical examinations annually provides
1 10 a signed statement to the individual's employer indicating
1 11 that based upon an annual physical examination the individual
1 12 is physically able to perform all required functions despite
1 13 insulin dependency.
1 14 (1) The insulin-dependent diabetic individual shall not
1 15 qualify to provide passenger service for elderly persons if,
1 16 at minimum, the individual results of a glycosylated
1 17 hemoglobin test indicate values less than six percent or
1 18 greater than nine and one-half percent on other than an
1 19 incidental basis and not as a result of failure to control
1 20 glucose levels.
1 21 (2) The signed statement shall also indicate that within
1 22 the past three years the insulin-dependent diabetic individual
1 23 has completed instruction to address diabetes management and
1 24 driving safety, signs and symptoms of hypoglycemia and
1 25 hyperglycemia, and what procedures must be followed if
1 26 complications arise.
1 27 b. The driver's employer monitors the insulin-dependent
1 28 diabetic individual to determine that they are in compliance
1 29 with all of the following provisions:
1 30 (1) Self-monitoring blood glucose and demonstrating
1 31 conformance with requirements, more than one hundred
1 32 milligrams per deciliter and less than three hundred
1 33 milligrams per deciliter, within one hour before operating a
1 34 motor vehicle used to transport elderly persons and
1 35 approximately every four hours while on duty using a device
2 1 approved by the United States food and drug administration.
2 2 (2) Reporting immediately to the employer any failure to
2 3 comply with specific glucose level requirements as listed in
2 4 subparagraph (1) or loss of consciousness or control.
2 5 (3) Carrying a source of readily absorbable, fast-acting
2 6 glucose while on duty.
2 7 (4) Maintaining a daily log of all glucose test results
2 8 for the previous six-month period and providing copies to the
2 9 employer, the examining physician described in subsection 1,
2 10 paragraph "a", and the department upon request.
2 11 c. An individual's employer provides confirmation to the
2 12 department on an annual basis, on a form proscribed by the
2 13 department, that the requirements of this subsection are
2 14 satisfied.
2 15 2. An insulin-dependent diabetic individual shall not
2 16 operate a motor vehicle to provide passenger service to
2 17 elderly persons if any of the following occur:
2 18 a. Results of a glycosylated hemoglobin test indicate

2 19 values less than six percent or greater than nine and one-half
2 20 percent unless accompanied by the required medical opinion
2 21 that the event was incidental and not an indication of failure
2 22 to control glucose levels.
2 23 b. Results of self-monitoring indicate glucose levels less
2 24 than one hundred milligrams per deciliter or greater than
2 25 three hundred milligrams per deciliter, until self-monitoring
2 26 indicates compliance with specifications.
2 27 c. A loss of consciousness or control relating to
2 28 diabetes.
2 29 d. A failure to maintain or falsifying the required
2 30 reports.
2 31 3. A violation of this section is grounds for revocation,
2 32 cancellation, or suspension of the individual's commercial
2 33 driver's license or class D driver's license.
2 34 4. This section shall not apply to an insulin-dependent
2 35 diabetic individual who is self-employed or is an independent
3 1 contractor to provide passenger service for elderly persons.
3 2 5. The department shall adopt rules pursuant to chapter
3 3 17A to administer this section.

3 4 EXPLANATION

3 5 This bill allows an insulin-dependent diabetic individual
3 6 holding a commercial driver's license or a class D driver's
3 7 license to operate a motor vehicle to provide passenger
3 8 service for elderly persons if certain requirements are met.
3 9 The requirements are similar to the requirements for
3 10 insulin-dependent school bus drivers under Code section
3 11 321.375.

3 12 The bill requires an annual physical examination to ensure
3 13 that the individual is able to perform all required functions
3 14 despite insulin dependency. The bill also requires the
3 15 individual's employer to monitor the individual to ensure that
3 16 the individual is self-monitoring blood glucose, reporting any
3 17 failure to comply with glucose level requirements or loss of
3 18 consciousness or control, carrying a source of fast-acting
3 19 glucose while on duty, and maintaining a daily log of glucose
3 20 test results. The individual's employer is required to
3 21 annually submit a form to the department of transportation
3 22 certifying compliance with the requirements of the bill.

3 23 The bill specifies certain circumstances under which the
3 24 individual is not permitted to provide passenger service to
3 25 elderly persons. The bill also provides that a violation of
3 26 the bill constitutes grounds for revocation, cancellation, or
3 27 suspension of the individual's commercial driver's license or
3 28 class D driver's license.

3 29 The bill does not apply to an insulin-dependent diabetic
3 30 individual who is self-employed or is an independent
3 31 contractor to provide passenger service for elderly persons.

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